

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(ROAD HEARING)**

October 16, 2006

**6:00 PM
Aldermanic Chambers
City Hall (3rd Floor)**

In the absence of Mayor Guinta, Chairman Lopez called the meeting to order.

Chairman Lopez called for the Pledge of Allegiance, this function led by Alderman Duval.

Chairman Lopez called for a moment of silent prayer asking that the police officer who had been shot today, Officer Briggs, be remembered in their thoughts.

The Clerk called the roll.

Present: Aldermen Roy, Gatsas, Long, Duval, Pinard, O’Neil, Lopez,
Shea, Garrity, Smith, Thibault, Forest

Absent: Aldermen Osborne, Alderman DeVries

The Clerk advised that the purpose of the road hearing was to hear those wishing to speak in favor of or in opposition to proposed street discontinuance petitions, followed by viewing the area of the petitions and determination of the action to be taken on such petitions. Such petitions shall be addressed at which time the Public Works Director shall be requested to make a presentation followed by those wishing to speak in favor will be heard, followed by those wishing to speak in opposition. Anyone wishing to speak must first step to the nearest microphone when recognized and state his/her name and address in a clear, loud voice for the record. Each person will be given only one opportunity to speak and any questions must be directed to the Chair.

A. *Discontinuance petition of Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane, and Douglas Street*

Chairman Lopez requested that Frank Thomas, Public Works Director, make a presentation.

Frank Thomas, Public Works Director, addressed the Board stating Allard Drive, Chagnon Street, Lumber Lane and a portion of Douglas Street are all highways having public status in the City of Manchester. These requested discontinuances are necessary for the construction of the southbound off-ramp from the Everette Turnpike as part of the Exit 5, Granite Street Interchange project. Allard Drive is being discontinued from Granite Street northerly to Foundry Street a distance of approximately 2,290 feet; Chagnon Street is being discontinued from Allard Drive westerly to its dead end a distance of approximately 245 feet; Lumber Lane is being discontinued from Allard Drive northerly to the previously discontinued end of

Lumber Lane a distance of approximately 286 feet; and there is a portion of Douglas Street which is being discontinued from Allard Drive westerly about 130 feet. In front of you is a construction drawing that we tried to superimpose the discontinued streets it's a mess of lines and this is in addition to what you already have in your agenda. The reason why I try to give you this when you go out for the viewing you will not see any roads they are all now part of parking lots or driveways or what not because of the new relocated Allard Drive, but I will try to answer any questions when we are out in the field.

Chairman Lopez called for those wishing to speak in favor. There were none.

Chairman Lopez called for those wishing to speak in opposition. There were none.

B. *Discontinuance petition of a portion of West Mitchell Street*

Chairman Lopez requested that Frank Thomas, Public Works Director, make a presentation.

Frank Thomas, Public Works Director, stated that West Mitchell Street was dedicated as Mitchell Avenue by a subdivision plan entitled Brown Ave Terrace Manchester on December 30, 1910. West Mitchell Street was laid out as a public way from Brown Ave to the Boston and Maine Railroad on August 21, 1921. There are sewer, water and drainage utilities in West Mitchell Street extending across the railroad. The lower end of West Mitchell Street was realigned in about 1944 to improve the roadway grade down through the rail crossing. The portion from this relocation or realignment down to the railroad tracks is the subject of the discontinuance here tonight. The discontinuance should be subject to a utility easement for its full width to cover the utilities that I mentioned water, sewer drainage, and also the discontinuance should be subject to the petitioner providing a boundary plan prior to the final vote of the Board of Mayor and Aldermen. The boundary plan is necessary because we don't have any distances, meets and bounds, up to the realigned section of West Mitchell Street.

Alderman Forest stated from what I understand from what Frank just said the petitioner has been asked to resubmit a plan, I'm wondering if we should table this until the plans have been issued and take it up at another time.

Mr. Thomas stated my recommendation would be to hear testimony for and against it, go out and view and table action until the requirements noted were taken care of subject to easements and the boundary plan.

It was noted that this was the recommendation of the Clerk and Solicitor as well, to continue the process and view the area.

Chairman Lopez called for those wishing to speak in favor.

Attorney Andy Sullivan for the petitioner stated that the two conditions seem perfectly acceptable both in terms of reserving to the City any existing utilities as well as rendering a plan for recording. Attorney Sullivan utilized a mapping to display the area petitioned and noted that Wolcott was discontinued. Mr. Rivard wanted to develop and was told by the City even though we may not mind you going over this but we don't know if you have a legal right to go over an existing street and so it was denied by discontinuing this road half will go to each side and that will give the frontage. I would urge that certainly view the site, you can table it or make it contingent the two recommendations made for the plan and the reservation of the easements.

Chairman Lopez called for those wishing to speak in opposition. There were none.

The clerk noted the communication received from the Railroad.

Alderman O'Neil noted that we have approved discontinuances in the past subject to conditions being met.

Deputy City Clerk Johnson stated that the Board had done so in the past, in this instance the Highway Department was looking for a plan, and we want something that outlines the easement and we have not seen that as of yet.

Alderman O'Neil asked about doing it conditional upon receipt of those items by the Clerk and Highway.

Deputy City Clerk Johnson stated yes with Solicitor approval as well

Alderman Shea asked if that was okay with him.

Mr. Thomas stated it would be okay with him as well as he understood it the action would not become final until they were satisfied the plan was acceptable and the easement language was acceptable.

On motion of Alderman Duval, duly seconded by Alderman Pinard, it was voted to recess the hearing and proceed to view the areas of the petitions presented.

4A. *Discontinuance petition of Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane, and Douglas Street*

Chairman Lopez called the meeting back to order at the site of the petition.

Members of the Board viewed the area of the petition as outlined by Mr. Thomas.

On motion of Alderman Thibault, duly seconded by Alderman Duval, it was voted to grand the petition and approve the discontinuance of Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane and Douglas Street as petitioned subject to reserving any and all utility easements required.

Chairman Lopez called a recess to proceed to the site of the next petition.

4B. *Discontinuance petition of a portion of West Mitchell Street*

Chairman Lopez called the meeting back to order at the site of the second petition.

Members of the Board viewed the area of the petition as outlined by Mr. Thomas.

On motion of Alderman Garrity, duly seconded by Alderman Pinard, it was voted that West Mitchell Street be discontinued upon certification by the Director of Public Works that he has received an acceptable boundary plan and utility easements to be forwarded to the City Clerk.

There being no further business to come before this meeting on motion of Alderman Smith, duly seconded by Alderman Long, it was voted to adjourn.

A True Record. Attest.

City Clerk